

## **SERV: FOSTER CARE LEAVE PROGRAM RULES**



### **1. INTRODUCTION**

In November, 1999, Governor Paul Cellucci and Lieutenant Governor Jane Swift announced the development of a package of “Family Friendly” employee benefits and policies. The Foster Care Leave Program was created in response to the administration’s Family Friendly Initiative. The purpose of this program is to give employees the opportunity to take leave time to deal with preparations and legal proceedings related to foster care. The purpose of these rules is to ensure the successful administration of the Foster Care Leave Program for state employees.

### **2. PROGRAM GOAL**

To allow state employees the opportunity to make necessary preparations and attend legal proceedings related to the foster care of children in the care of the Department of Social Services.

### **3. ELIGIBILITY**

All employees of the executive branch who have been employed by the state for at least six months and have applied for and received approval from their direct supervisors and agency heads or designees, may participate in the Foster Care Leave Program.

Part-time employees are eligible to participate in the program on a prorated basis, i.e., the maximum number of volunteer leave hours allowed per month are prorated in accordance with the number of hours an employee works per month.

Contract Employees are not eligible.

### **4. DEFINITION OF TERMS**

**4.1 Foster Care Leave Program:** A program set up to provide leave time for employees to make necessary preparations and to attend legal proceedings related to foster care of DSS children.

**4.2 Foster Care Leave:** Leave that permits eligible employees to take time off to deal with foster care related issues, for a maximum equivalent of one work day per month, without loss of salary or benefits. The maximum allowable number of volunteer leave hours is 7.5 or 8 hours per month, depending on the normal work day for the employee’s position. Depending on the needs of his/her agency, the employee may participate in foster care activities for one full workday monthly or in increments of two half-days, or for shorter periods which do not, in total, exceed the equivalent of one workday. (NOTE: The total maximum volunteer leave allowance is the equivalent of one workday per month, even in cases where employees choose to participate in more than one employee volunteer program, including foster care, mentoring, school volunteer and community service volunteer programs.)

### **5. PROCEDURES AND APPROVAL PROCESS**

Any employee who wishes to apply for leave under the Foster Care Leave Program should discuss his/her request to participate in the program with and submit a completed SERV Program Leave Request Form to his/her supervisor. Form can be found at:

[http://www.mass.gov/Ehrd/docs/policies/leave/serv\\_leave\\_request\\_form.rtf](http://www.mass.gov/Ehrd/docs/policies/leave/serv_leave_request_form.rtf)

The supervisor reviews the request and either approves or denies it, taking into consideration the following criteria:

- business needs of the agency
- conformance of the request with all program rules

The employee is to be notified of approval or denial of his/her request. If the request is denied, the reason must be written on the form and a copy given to the employee. All requests, whether approved or denied by the supervisor, must be reviewed by the agency head or designee for conformance with all program rules. Based upon sound reasons, the agency head or designee has the option to reverse the supervisor's decision.

Employees should submit a separate request for each time they would like to volunteer, **at least 30 calendar days** in advance of the desired volunteer date(s) to minimize disruptions in work schedules.

## **6. APPROVED LEAVE**

**6.1 Payroll:** If the request is approved, the payroll coordinator is to be advised so that the appropriate payroll records can be maintained. The HR/CMS Time Reporting Code ( VLFOS ) will be used to reflect Foster Care Leave.

## **7. AGENCY RESPONSIBILITY**

It is the agency head's responsibility to ensure the integrity of employees' participation in the program and prevent any abuse of volunteer leave.

## **8. RECORD KEEPING**

An employee must submit a SERV Verification of Volunteer Services Form ([http://www.mass.gov/Ehrd/docs/policies/leave/serv\\_leave\\_verification\\_form.rtf](http://www.mass.gov/Ehrd/docs/policies/leave/serv_leave_verification_form.rtf) ) to his/her supervisor **each time** Foster Care Leave is taken. Specific information regarding the dates and times of foster care activities must be included on the form. This form must be signed by an individual authorized by the agency head to do so.

The verification forms should be maintained by Agency Human Resources Departments. It is the responsibility of Agency Human Resources Departments to ensure that activities performed match the program descriptions submitted by employees in their SERV Volunteer Program Leave Request Forms.

## **9. OTHER AGENCY RESPONSIBILITIES**

Agency Human Resources Departments are responsible for monitoring any agency-wide policies that may affect the program. Agency Human Resources Departments are also responsible for compiling employee participation data and for responding to survey requests from HRD or other entities.

**10. EMPLOYEE STATUS**

An employee who is granted paid leave time pursuant to this program shall not be considered to be acting within the scope of employment for the purposes of Chapter 152 of the Massachusetts General Laws (Workers' Compensation); nor shall the Commonwealth be liable for any acts or omissions of said employee while released for volunteer purposes. Volunteers are expected to follow applicable Department of Social Services foster care guidelines.